

VIII. Claims 29-31 are said to be drawn to a product combination comprising material comprising emulsion, classified in Class 516, Subclass 31.

Election

In response, Applicants elect Group I, with traverse.

Reconsideration and withdrawal or modification of the restriction requirement is respectfully requested.

Applicants submit that the Groups I-IV claims are so interrelated that a search of one group of claims will reveal art to the other. Moreover, the classification of Groups I-IV claims in different classes and subclasses is not necessarily sufficient grounds to require restriction.

Additionally, Applicants submit that the Groups V-VIII claims are so interrelated that a search of one group of claims will reveal art to the other. Moreover, the classification of Groups V-VIII claims in different classes and subclasses is not necessarily sufficient grounds to require restriction.

Were restriction to be effected between the claims in Groups I-IV, or the claims in Groups V-VIII, a separate examination of the claims in Groups I-IV or Groups V-VIII would require substantial duplication of work on the part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I-IV or Groups V-VIII would have to be as rigorous as when only the claims of Group I, II, III, or IV were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims of different categories are so interrelated. Further, Applicants submit that for restriction to be effected between the claims in Groups I-IV, or Groups V-VIII, it would place an undue burden by requiring payment of a separate filing fee for examination of the nonelected claims, as well as the added costs associated with prosecuting two applications and maintaining two patents.

Conclusion

Applicants have elected Group I with traverse. Continued prosecution of this application is respectfully requested.

It is believed that no fee is due; however, in the event a fee is required, please charge the fee to Deposit Account No. 13-3723. The Examiner is invited to contact the undersigned at the indicated telephone number with questions that can be resolved with a simple teleconference.

Respectfully submitted,

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Date

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